

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SHAWN WILEY,

Petitioner,

v.

EDWARD BANKS, WARDEN,

Respondent.

CASE NO. 2:13-CV-99
JUDGE ALGENON L. MARBLEY
MAGISTRATE JUDGE KEMP

OPINION AND ORDER

On April 17, 2013, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases denying Petitioner's *Motion for a Stay* and request for counsel (Doc. Nos. 4, 5), and recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. The parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so. Additionally, the Court granted Petitioner's request for an extension of time to file his objections. Doc. No. 9 No objections, however, have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. Petitioner's *Motion for a Stay*, Doc. No. 4, and request for counsel, Doc. No. 5, are **DENIED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Judge